IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 385 OF 2007

Baba Hanuman Upadhyay .. Petitioner

V/s

State of Maharashtra & Ors. .. Respondents

Mr.R.O. Pathak for the petitioner.

Mr.Pradeep Jadhav, A.G.P. for respondents no.1 to 3.

Mr.V.S. Kapse for respondent no.4.

CORAM : S.B. MHASE &
D.G. KARNIK, JJ.

DATE : 3RD AUGUST 2007

P.C. :

1. Heard.

2. The petitioner was an unauthorised occupant of the land which is situated within the flood area of the Mithi River. The unauthorised structure of the petitioner has been demolished. He has thereafter approached this Court for a direction to allot him an alternative accommodation. We repeatedly asked the learned counsel for the petitioner wherefrom the petitioner gets a right to get an alternative accommodation. The learned counsel was unable to point out any statute, rule or government resolution creating such a right in favour of the petitioner. We refrain to entertain the petition. Petition is rejected.

(D.G. KARNIK, J.) (S.B. MHASE, J.)